

## REMARKS

### I. Introduction

Claims 1-20 are pending in the application. In the Office Action dated January 26, 2007, claims 1-19 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over U.S. Pat. No. 6,442,611. Additionally, claims 1-8, 10-18, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,634,127 ("Cloud") in view of U.S. Pat. No. 6,732,101 ("Cook"), and claims 9 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cloud in view of Cook and U.S. Pat. No. 5,819,092 ("Ferguson"). Applicants respectfully request reconsideration and withdrawal of the rejections to the claims.

### II. Double Patenting Rejection

Claims 1-19 were rejected under the judicially created doctrine of double patenting as being unpatentable over U.S. Pat. No. 6,442,611. Upon a determination by the Examiner that the claims are allowed absent the double patenting rejection, Applicants will file a terminal disclaimer to overcome the double patenting rejection.

### III. The Proposed Combinations Do Not Render Claim 1 Unpatentable

Independent Claim 1 recites transmitting a set of data access transactions to respective applications, wherein at least some of the set of data access transactions comprise a first optional data item, and wherein the respective applications **process the set of data access transactions even when the respective applications do not recognize the first optional data item**. The Examiner has admitted that Cloud fails to teach the use of optional data items. In an effort to cure the deficiency, Cook was cited. However, Cook fails to teach the elements for which it was cited.

Cook is directed to a secure message forwarding system that detects user preferences such as security preferences. With respect to the passages of Cook cited by the Examiner, Cook teaches a system that may decrypt a message and verify a sender's signature. Additionally, the system may optionally perform actions such as verifying a time stamp, verifying an authenticity of a server's public key, or retrieving a

status of a sender's public key. While Cook may teach performing optional operations, Cook fails to teach processing data even when an application **does not recognize** an optional data item as recited in claim 1. In fact, the passages of Cook cited by the Examiner contain no mention of an application not recognizing an optional data item.

Because Cook fails to teach applications processing a set of data access transactions even when the applications **do not recognize** an optional data item, the proposed combinations of Cloud, Cook, and Ferguson as contemplated by the Examiner necessarily do not render independent claim 1, or any claim that depends on claim 1, unpatenable.

#### **IV. The Proposed Combinations Do Not Render Claim 11 Unpatentable**

Independent Claim 11 recites a system wherein a plurality of applications are operative to process a set of data access transactions even when the plurality of applications **do not recognize** a first optional data item. The Examiner has admitted that Cloud fails to teach the use of optional data items. In an effort to cure the deficiency, Cook was cited. However, while Cook may teach an application performing optional operations, Cook fails to teach applications processing a set of data access transactions even when the applications **do not recognize** an optional data item as asserted by the Examiner. For at least this reason, the proposed combinations of Cloud, Cook, and Ferguson as contemplated by the Examiner necessarily do not render independent claim 11, or any claim that depends on claim 11, unpatentable.

#### **V. The Proposed Combinations Do Not Render Claim 20 Unpatentable**

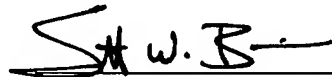
Independent Claim 20 recites transmitting a set of data access transactions to respective applications, wherein at least some of the set of data access transactions comprise a first optional data item, and wherein the respective applications process the set of data access transactions even when the respective applications **do not recognize** the first optional data item. The Examiner has admitted that Cloud fails to teach the use of optional data items. In an effort to cure the deficiency, Cook was cited. While Cook may teach performing optional operations, Cook fails to teach processing data even when an application **does not recognize** an optional data item as asserted

by the Examiner. For at least this reason, the proposed combinations of Cloud and Cook as contemplated by the Examiner necessarily do not render independent claim 20 unpatentable.

## **VI. Conclusion**

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Amendment, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. W. Brim", is written over a horizontal line.

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